

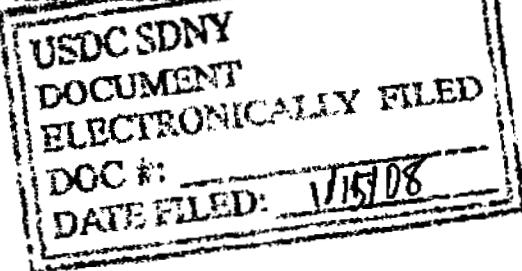
LAW OFFICES OF

ERNEST H. GELMAN

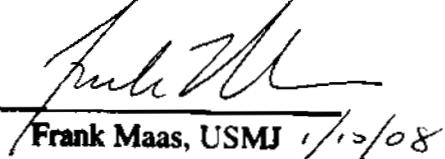
The Empire State Building
 350 Fifth Avenue, Suite 4908
 New York, NY 10118
 Tel: (212) 332-2345
 Fax: (212) 332-8301
 Email: egelman@gelmanesq.com

OF COUNSEL

ANN L. CHESTID

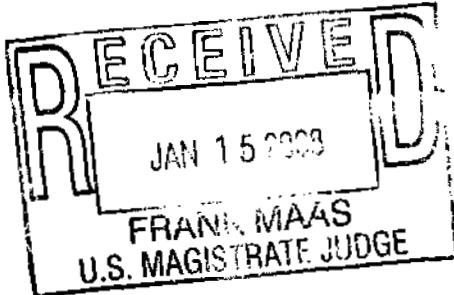


MEMO ENDORSED

APPLICATION GRANTED
SO ORDERED


Frank Maas, USMJ

January 11, 2008



Honorable Frank Maas
 United States Magistrate Judge
 United States District Court
 Southern District of New York
 United States Courthouse
 500 Pearl Street
 New York, NY 10007-1581

Re: *Sanofi Pasteur v. Kuehne & Nagel*
07 Civ. 6354 (BSJ)(FM)

Dear Judge Maas:

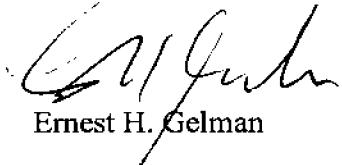
I am the attorney for Kuehne & Nagel, Inc., one of the defendants in the above matter. This letter seeks an order to permit a third-party summons to be issued by the court clerk on behalf of my client against Southwest Airlines Co.

The suit relates to plaintiff's claims that its vaccines had to be destroyed. The vaccines were to have been transported and kept at low temperatures from their pickup by defendant ETI and their delivery to designated air carriers for export to the orient.

The vaccines were for a time kept in the cooling facility of Continental Airlines at the Philadelphia Airport. Continental then transferred the vaccines to the Southwest Airlines at the airport for keeping in its cooler. Issues in this case concern which party may be answerable to the plaintiff's claims. It is thus against respectfully requested that the proposed third-party summons and complaint, draft of which are enclosed, be allowed to be issued and filed by the court clerk.

I have spoken to the attorneys for plaintiff and both of the other defendants and each has indicated that they have no objection to the relief sought. Thank you for your consideration.

Very truly yours,



Ernest H. Gelman

EHG/l

Enc.

cc: David L. Mazaroli, Esq., Fax #(212) 732-7352
Andrew Karonis, Esq., Fax #(212) 695-6602
Francis A. Montbach, Esq., Fax #(212) 344-8066